

Remarks

Reconsideration of this Application is respectfully requested.

Claims 1-3, 5-7, 9-10, 13, 15, and 18-24 are pending in the application, with 1 and 24 being the independent claims. Claims 1 and 24 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Information Disclosure Statement

Applicants respectfully request that the Examiner consider, and acknowledge consideration thereof, an Information Disclosure Statement filed April 17, 2008.

Telephone Interview Summary

Applicants' representatives thank Examiner Rashid for his time on a telephonic interview conducted on July 14, 2008 at 2:00 P.M. (EST). Applicants discussed the Examiner's comments in the Advisory Action of July 9, 2008 and appropriately respond hereby.

Rejections under 35 U.S.C. § 103**Claims 1 and 24**

In paragraph 5 of the final Office Action of March 17, 2008, claims 1-3, 5-7, 9, 13, 15, 19-21, and 24 were rejected 35 U.S.C. § 103 (a) as allegedly being unpatentable over U.S. Patent No. 6,399,261 to Sandstrom (hereinafter "Sandstrom") in view of U.S. Patent No. 6,014,360 to Yonekubo *et al.* (hereinafter "Yonekubo"), and in further view of U.S. Patent No. 5,253,236 to Latta *et al.* (hereinafter "Latta"). Applicants respectfully traverse this rejection.

Claim 1 recites features that distinguish over the applied references. For example, claim 1 recites (emphasis added): "using a semi-plane knife-edge to block, from only one side at a time, a zero order lobe of a pixel diffraction pattern at the apodized pupil." Independent claim 24 also recites a similar feature, in respective language.

On page 4 of the Advisory Action, with respect to claims 1 and 24, the Examiner recommends to strictly allow only one knife-edge to distinguish from the cited reference. Without acquiescing to the Examiner's statements in the final Office Action or Advisory Action, and merely to expedite prosecution, Applicants have amended claims 1 and 24 per the Examiner's recommendation, as presented above. Sandstrom, Yonekubo, and Latta, taken alone or in combination, do not teach or suggest at least this feature of claims 1 and 24, as also discussed in the previous Reply under 37 C.F.R. §1.116 filed June 19, 2008, to which the Examiner is respectfully referred. Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn, and that claims 1 and 24, and their respective dependent claims, be passed to allowance.

Dependent claims 10 and 18

In paragraph 18 of the Office Action, claims 10 and 18 were rejected under 35 U.S.C. § 103 (a) as allegedly being unpatentable over Sandstrom in view of Yonekubo and Latta, and in further view of U.S. Patent No. 5,965,330 to Evans *et al.* (hereinafter "Evans"). Applicants respectfully traverse this rejection.

As discussed above with respect to claims 1 and 24, from which claims 10 and 18 respectively depend, Sandstrom, Yonekubo and Latta fail to teach "using a semi-plane knife-edge to block, only from one side at a time, a zero order lobe of a pixel diffraction pattern at the apodized pupil." Evans likewise fails to teach this feature. In the Office Action at page 9, the Examiner states, which Applicants do not acquiesce to, Evans teaches a method for fabricating an annular mask having diffraction-reducing edges that forms an apodized pupil using an algorithm derived apodization pattern, such that variations are present in at least one of transmittance and phase. Thus, Evans is not used to teach or suggest the above-recited feature of claims 1 and 24, nor does Evans teach or suggest this feature. Because claims 10 and 18 include all features of claims 1 and 24, claims 10 and 18 necessarily include this feature. Given that none of the applied references teach this feature, claims 10 and 18 are not obvious in view of Sandstrom, Yonekubo, Latta and Evans. Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn, and that claims 10 and 18 be passed to allowance at least for the same reasons as independent claims 1 and 24, and further in view of their own distinguishing features.

Dependent claim 22 and 23

In paragraph 21 of the Office Action, claims 22 and 23 were rejected under U.S.C. § 103 (a) as allegedly being unpatentable over Sandstrom in view of Yonekubo, in further view of Latta, and in further view of U.S. Patent No. 6,369,879 to Pedersen (hereinafter "Pedersen"). Applicants respectfully traverse this rejection.

As discussed above with respect to claims 1 and 24, from which claims 22 and 23 respectively depend, Sandstrom, Yonekubo and Latta fail to teach "using a semi-plane knife-edge to block, only from one side at a time, a zero order lobe of a pixel diffraction pattern at the apodized pupil." Pedersen likewise fails to teach this feature. In the Office Action at page 9, the Examiner states, which Applicants do not acquiesce to, Pedersen teaches a method for determining the coordinates of an object. Thus, Pedersen is not used to teach or suggest the above-recited feature of claims 1 and 24, nor does Pedersen teach or suggest this feature. Because claims 22 and 23 include all features of claims 1 and 24, claims 22 and 23 necessarily include this feature. Given that none of the applied references teach this feature, claims 22 and 23 are not obvious in view of Sandstrom, Yonekubo, Latta and Pedersen. Accordingly, Applicants respectfully request that this rejection be reconsidered and withdrawn, and that claims 22 and 23 be passed to allowance at least for the same reasons as independent claims 1 and 24, and further in view of their own distinguishing features.

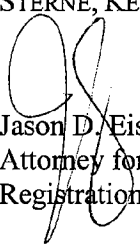
Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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